



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

**North Carolina Board of Transportation
Environmental Planning and Policy Committee
Meeting Minutes for December 3, 2003**

A meeting of the Environmental Planning and Policy Committee (EPPC) was held on December 3, 2003 at 8:30 AM in the Board Room (Room 150) of the Transportation Building. Nina Szlosberg chaired the meeting. Other Board of Transportation members that attended were:

Tom Betts	Frank Johnson
Marion Cowell	Cam McRae
Nancy Dunn	Lanny Wilson

Other attendees included:

Tad Boggs	David Hyder	Ken Pace
Donnie Brew	Pay Ivey	Vivian Zeke Partin
Roberto Canales	Berry Jenkins	Mike Pettyjohn
Mike Cowan	Fred Lamar	Bill Roser
Sherri Creech Johnson	Neil Lassiter	Roger Sheats
Craig Deal	Emily Lawton	John Sullivan
Steve Dewitt	Don Lee	Dan Thomas
Dawn Garrison	Odessa McGlown	Sec. Lyndo Tippet
Cherie Gibson	Ehren Meister	Don Voelker
Bill Gilmore	Jon Nance	Marcus Wilner
Rob Hanson	Sandy Nance	Terry Wyatt

Ms. Szlosberg called the meeting to order at 8:35 AM. The meeting minutes were approved as presented. Ms. Szlosberg opened by recognizing special guest Tad Boggs, the Communications Director with the Ecosystem Enhancement Program.

Ms. Szlosberg introduced Roberto Canales, State Construction and Materials Engineer, to present the quarterly report for the State Minimum Criteria.

Mr. Canales briefly reviewed the handout provided outlining a summary of the projects that have fallen within the criteria over the last three quarters. Ms. Szlosberg asked if there was a reason there was such a substantial acreage in some of the divisions in quarter one and two. Mr. Canales noted that it may be a seasonal situation; however, Mr. Canales stated he would look further at what specific projects may have impacted the acreage and

report back to the committee. He also responded that this report factors in projects which the divisions predict they will have. Therefore, some of the numbers may appear larger even though the project has not been completed. Ms. Szlosberg asked whether the data reported is what really should be reported. Mr. Canales responded that the state minimum criteria evaluation is required before projects are begun. Its use is up front to know whether permits will be required later. Board Member Johnson noted that in the short term you will get mixed results but in the long term the results will be good. Ms. Szlosberg asked if the data could be interpreted in different ways. Mr. Johnson asked if a cumulative number could be added to future reports. Mr. Canales responded that that can be done and Operations intends to give a total report in the fourth quarter. Some program issues should be noted because some divisions are further along with the secondary roads program. Mr. Canales noted that there is an electronic reporting process and it is the hope to have the report on the web in the future. Staff is currently working with IT to develop this. Mr. Johnson asked whether the reporting could be a part of BSIP. Mr. Canales responded that BSIP reports on data of a different type as opposed to the criteria being tracked for state minimum criteria; however, Mr. Canales indicated he would look into it. Ms. Szlosberg commented that the use of the web is a positive move.

Ms. Szlosberg invited Dan Thomas, Statewide Planning Branch, to update the committee on the development of the comprehensive transportation plan format. Mr. Thomas noted that this is an update and that he will return in the next couple of months with the final product. He reminded the committee of his report to the Board a year ago and noted that a tremendous amount of communication with the public has occurred since that time. The public involvement has occurred through workshops, annual meetings, and RPO and MPO meetings. In addition, six forums were held throughout the state. Overall, the public involvement was very positive. During the forums, an issue surfaced. The idea of moving from thoroughfare plans to comprehensive transportation plans may cause some problems with local governments because many local ordinances refer to "thoroughfare plans." The department alleviated this obstacle by working major and minor thoroughfare plans into the comprehensive transportation plan. The first half of the year was used to gather these public comments and incorporate them where appropriate. Currently, the working group is making changes to the plan. Mr. Thomas also noted that the name has been changed to the "Comprehensive Transportation Plan."

The bike map still requires some tweaking, and the pedestrian map requires continued improvement. The key issue that arose with the bike and pedestrian maps was that the local governments want much more detail locally than what the department expected. The working group is currently working with the Bike and Pedestrian Division to look further at the maps. The schedule is to have the plans completed in early 2004.

The committee previously discussed the possible inclusion of environmental data layers with the plans. Following this request, the Attorney General's office was consulted with the question of whether this was under the purview of the department based on the law. It was recognized that this information could be available but won't necessarily be "adopted." Ms. Szlosberg asked for clarification and noted that this was to help the streamlining efforts and move the environmental factors up front in the planning process. Mr. Thomas noted that the environmental information will continue to be made available during the planning process. Ultimately it will be electronic. Frank Johnson asked why the Attorney General's Office objected to this. Mr. Fred Lamar, Assistant Attorney General, responded that the issue was the function of the Board adopting an item that was not pursuant to the statute that identified the transportation plan. The general statute did not specify any environmental considerations. This doesn't mean that environmental considerations can't be identified but that the Board cannot officially adopt them because it would be a violation of what the statute states. Mr. Thomas noted that this would

make the department vulnerable in some instances if an environmental issue was missed in the “adopted” plan. Mr. Johnson commented that the environment is such a big issue that it is unforeseen to not adopt. Mr. Lamar noted that all the environmental processes will remain such as NEPA. Ms. Szlosberg asked the committee members to provide any additional comments to Mr. Thomas in the near future.

Ms. Szlosberg invited Mr. Roger Sheats, Deputy Secretary for Environment, Planning, and Local Governmental Affairs, to introduce the next presentation. Mr. Sheats introduced Bill Gilmore, Ecosystem Enhancement Program Transition Manager, to present an update on the Ecosystem Enhancement Program (EEP). Mr. Gilmore began by reminding the committee of the importance of communication in the creation of this new program. The Memorandum of Agreement that launched this effort in July of 2003 outlines the legal basis for the program, describes expectations for watershed based planning and accounting and reporting systems, lists time-tables for mitigation delivery and identifies a transition period. The EEP is not a regulatory unit but must align with the regulatory branches. The EEP’s objectives are to satisfy needs for compensatory mitigation (short term) and in the future and to develop the organization and processes that will sustain the program. The transition period will continue for approximately two more years.

The transition period activities include:

- An increase in production
- Confirming mitigation and watershed needs
- Completing restoration assets under development
- Augmenting program with additional high quality restoration, enhancement and preservation
- Issuing additional RFP’s for mitigation through the full delivery program

Mr. Gilmore explained the format of the ecoregion map, which will be used for the transition period impacts. Some of the impacts noted on the map were for projects identified on December’s Board agenda. In addition to the other transition period activities, operational activities include:

- Staffing
 - Combining staff from NCDOT and NCWRP (28 currently)
 - Reorganizing and augmenting staff (48 planned to be in place by February 2004)
- Renovating office space at the Parker Lincoln Building

Mr. Gilmore explained the organizational chart by presenting a high level chart. He reiterated the importance of communication among the top levels of the chart and noted that there is a policy and oversight group to assist the direction of the EEP. There are many short term successes already achieved by the EEP. They include:

- Developing early partnerships for projects with NCDENR Division Applications for Preservation, NC Bicycle and Pedestrian Program, and multiple funding partners for high quality resources (CWMTF, NCWRC, State Parks, Natural Heritage)
- The development of initial contracts with CTNC-High Quality Preservation, RTI- PP&PM and Database, NRCS and DSWC
- Continuing all restoration and enhancement programs for impacted watersheds in a coordinated manner
- Developing local watershed plans for 10 additional cataloging units for projects in Year 3

Mr. Gilmore commented that the EEP is very thankful for the support from the BOT, including the authorization of \$90 million in funding for up to 38 preservation sites. Ms. Szlosberg applauded these efforts. Mr. Gilmore

wrapped up by noting he would be available following the committee meeting for questions. Board Member Cam McRae asked whether the EEP will help the DOT get permits quicker. Mr. Gilmore responded that it would. Mr. McRae elaborated further about changes that occur during the process and the hindrances that follow until the completion of projects.

Ms. Szlosberg thanked those who participated in the meeting and accepted a motion to adjourn at 9:32 AM.

The next meeting for the Environmental Planning and Policy Committee is scheduled for Wednesday, January 7, 2003 at 8:30 AM in the Board Room (Room 150) of the Transportation Building.

NS/edm